

REMARKS

Applicant expresses appreciation to the Examiner for conducting the Interview and maintaining that Claim 9 contains allowable subject matter.

The Examiner has maintained the following claim rejections: Claims 1, 5, 6, 8, 10, 15, 18-20 and 22 are rejected under 35 USC 102(b) as being anticipated by Dencker, EP 1011182; Claims 2, 3 and 7 are rejected under 35 USC 103(a) as being unpatentable over Dencker in view of Clark *et al.*, USP 6,319,346; Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dencker in view of Bartlett, USPAP 2003/0141721; Claims 11-12 are rejected under 35 USC 103(a) as unpatentable over Dencker; Claim 13 is rejected under 35 USC 103(a) as unpatentable over Dencker in view of Applicant's admitted prior art; Claims 10, 14, 16, 21 and 23-26 rejected under 35 U.S.C. 103(a) as being unpatentable over Dencker in view of Johansen, USP 7,040,864; Claim 26 is rejected under 35 USC 103(a) as unpatentable over Dencker in view of Johansen and in further view of Cline, USP 4,237,514; and Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dencker in view of Johansen and in further view of Olsen, USP 6,457,943.

Applicant responds as follows.

Claims 1 and 22 already recite that the segmented conductor means are essentially flush with the external surface of the blade. In addition, Applicant has

attended Claims 1 and 22 to recite that: the conductor means are electrically conductive particles that have an expanse of between 0.05 and 10 mm (from claim 8); the conductive particles are separated to avoid the occurrence of a continuous conductor (see paragraph 0021 of the application); the conductor means are distributed in at least one path having a width of between 3 and 50 mm (from claim 15); and, in the event of a lightning strike, the configuration of the segmented conductor means on the blade causes an ionized passage to form outside the blade, adjacent to the conductor means, for guiding a lightning current in the passage to the means for conducting current to earth. Further, paragraph 0008 of the specification discloses that:

“the lightning current will not have to be conducted through the conducting means, but rather [will] be conducted in an ionized passage in the air above the conductor means...As the conductor means are not to tolerate the lightning current, the heating is limited and it follows that the damage inflicted on the conductor means is minimized.”

The above structure and effect is not taught in Dencker. Dencker teaches a conductor which is not essentially flush with a blade but rather is designed as a tape to be adhered to the outer surface of a blade. Dencker, paragraphs 0048-0049 and Figures 2-3. Dencker's conductive tape is composed of wires (Dencker, paragraph 0050 and Figure 3) and not segmented particles having an expanse of between 0.05 and 10 mm, which are separated to avoid the occurrence of a continuous conductor, and which have a separation spacing as defined in dependent claims 30-33 (see paragraph 0057 of the application); and which are

distributed in a path having a width of between 3 and 50 mm. In addition, Dencker's tape is designed such that lightning current is expected to "jump[] at several points on the surface of the tape" and, as a result, "the tape is ruptured in several places." Dencker, paragraphs 0058-0060 and Figure 5. This is in direct contrast to the claimed structure in which lightning current is guided in an ionized passage adjacent to the conductor means. As a result of the claimed structure, damage inflicted from a lightning strike is minimized and the conductor means can be designed "to not tolerate lightning current."

In addition, new Claims 34 and 35 differ from amended Claims 1 and 22 in that the new claims do not recite the specific expanse dimension of the conductive particles and also do not recite the specific path width size of the conductor means. However, these new claims are patentable over Dencker for reasons stated. That is, Dencker fails to teach conductive particles which are separated to avoid the occurrence of a continuous conductor, and Dencker also fails to teach guiding lightning current in a passage outside the blade, adjacent to the conductor means. Rather, as indicated, the reference contradicts these recitations.

As Dencker does not teach the claimed segment conductor means, the claims are patentable over this prior art publication. Furthermore, as the remaining references do not teach each claimed limitation, it is respectfully asserted that the invention is patentable over the cited art. Accordingly, a notice of allowance is respectfully solicited.

Respectfully submitted,

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